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U. S. DEPARTMENT OF AGRICULTURE

TITLE 7 - AGRICULTURE

CHAPTER XII - WAR FOOD ADMINISTRATION
(COMMODITY CREDIT ORDERS)

/War Food Order No. 100/

Part 1600 - Oilseeds

PURCHASE, SALE AND USE OF PEANUTS OF THE 1944 CROP

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of peanuts for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1600.8. Purchase, sale and use of peanuts restricted.

(a) Definitions. (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not, including the States of the United States, their political subdivisions and agencies.

(2) "Corporation" means the Commodity Credit Corporation.

(3) "Farmers' stock peanuts" means picked or threshed peanuts in the shell which have been produced in the calendar year 1944 in the continental United States and which have not been cleaned, shelled, crushed, or otherwise changed from their natural state after picking or threshing.

(4) "Producer" means a person who grows, harvests, or threshes peanuts in the continental United States for purposes of sale.

(5) "Handler" means a person, other than a designated agency, who has entered into a contract with the Corporation to purchase, sell, or deliver peanuts.

(6) "Designated Agency" means a cooperative association of producers which has entered into a contract with the Corporation to purchase, sell, or deliver peanuts.

(7) "Crush" means to press, expel, or extract oil from peanuts.

(8) "Clean and shell" means to remove the dirt, stems, and other foreign material from the shells of farmers' stock peanuts, or to remove the shells therefrom, other than in connection with the crushing of such peanuts. "Cleaning and shelling" shall be construed accordingly.

(9) "Purchase" includes contracts to purchase.

(10) "Sell" and "sale" include contracts to sell.

(11) "Deliver" and "delivery" include contracts to deliver.

(b) Restrictions on Purchases, sales, and deliveries of farmers' stock peanuts. No person shall sell or deliver farmers' stock peanuts, and no person shall purchase or accept delivery of farmers' stock peanuts, except as provided in paragraph (c) hereof or as specifically authorized by the President of the Corporation in order to assure a proper distribution and use of peanuts for defense, for private account, and for export.

(c) Permissible purchases, sales, and deliveries of farmers' stock peanuts. The following purchases, sales and deliveries of farmers' stock peanuts are not restricted:

(1) Purchases or acceptances of deliveries by, and sales or deliveries to (i) the Corporation, (ii) a handler or designated agency purchasing pursuant to the terms of a handler's or designated Agency's contract with the Corporation, or (iii) a producer for planting by or for him.

(2) Sales or deliveries by, and purchases or acceptances of deliveries from, the Corporation, or a handler or designated agency pursuant to the terms of a handler's or designated agency's contract with the Corporation.

(d) Restrictions on crushing, cleaning, shelling, and otherwise changing farmers' stock peanuts from their natural state. No person shall crush, clean, shell, or otherwise change farmers' stock peanuts from their natural state, except in such quantities as may be specifically authorized by the President of the Corporation in order to assure a proper distribution and use of peanuts for defense, for private account, and for export; Provided, That (1) Any producer, or any person in behalf of such producer, may clean and shell for planting by or for such producer farmers' stock peanuts owned by such producer; and (2) any producer, or any person in behalf of such producer, may, on the farm where produced, clean or shell for sale a quantity not in excess of 500 pounds of farmers' stock peanuts produced by such producer.

(e) Audits and inspections. The President of the Corporation shall be entitled to make such audit or inspection of the books, records, and other writings, premises or stocks of peanuts of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(f) Records and reports. (1) The President of the Corporation shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary, or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the President of the Corporation may designate), maintain an accurate record of his transactions in peanuts.

(g) Petition for relief from hardship. Any person affected by this order who considers that compliance herewith would work an exceptional and

unreasonable hardship on him may apply in writing for relief to the President of the Corporation, setting forth in such petition all pertinent facts and the nature of the relief sought. The President of the Corporation may thereupon take such action as he deems appropriate, which action shall be final.

(h) Violations. Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using peanuts, or any other material subject to priority or allocation control by any government agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(i) Delegation of Authority. The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the President of the Corporation. The President of the Corporation is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(j) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the President of the Corporation, be addressed to the President of Commodity Credit Corporation, War Food Administration, Washington 25, D. C., Ref. WF-100.

(k) Territorial Scope. The provisions of this order shall apply within the forty-eight states and the District of Columbia.

(l) Effective Date. This order shall become effective 12:01 a.m., e.w.t., May 10, 1944.

Note: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 9th day of May, 1944.

(Signed) MARVIN JONES

War Food Administrator